

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Governmental Center
Tuesday, December 12, 2000**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Judith A. Spalding/Kate Mauck, Records

(Judith Spalding took the following portion of the meeting.)

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

ADDITIONS/DELETIONS TO AGENDA

Commissioner Anderson moved, seconded by Commissioner Mattingly, to accept the agenda as amended. Motion carried.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Guazzo, to authorize Commissioner President Randall to sign the Check Register. Motion carried.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the minutes of the Commissioners' meeting of Tuesday, December 5, 2000, as corrected. Motion carried.

COUNTY ADMINISTRATOR

Present: Alfred A. Lacer, County Administrator

1. Draft Agenda for December 19/20, 2000
2. **Grant Documents**
 - a) Sheriff's Department
FY 1999 Local Law Enforcement Block Operating Grant Agreement
(Request for Reallocation of funds to purchase equipment and technology)
(Federal: \$64,858; Local: \$6,980)

Present: Lottie Bell, Sheriff's Department
Lt. Tim Cameron, Sheriff's Department

Commissioner Mattingly moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Grant Agreement. Motion carried.

- b) Sheriff's Department
Drug Control System Improvement Program Grant Agreement
(HotSpots) (Federal: \$5,200)

Commissioner Raley moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign the Grant Agreement. Motion carried.

- c) Department of Planning and Zoning
Request to proceed with Maryland Historical Trust Non-Capital Grant
Application (Phase 8)

Present: Kirk Ranzetta

Commissioner Guazzo moved, seconded by Commissioner Anderson, to approve proceeding with the application. Motion carried.

- 3. **Department of Planning and Zoning**
Resolution No. W/S No. 2000-01
LaVance Prince Property – Assignment of EDU's
(Request for Adoption of Resolution to assign five more EDU's on St. George Island)

Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign Resolution No. W/S 2000-01. Motion carried.

- 4. **Emergency Communications**
 - a) License Agreement for installation of Temporary Radio Communication on county-owned tower

Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the License Agreement. Motion carried.

- b) Easement Agreement for new Emergency Communications tower construction at Governmental Center.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner Randall to sign Easement Agreement. Motion carried.

5. **Employment Contracts**

Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and authorize Commissioner Randall to sign employment contracts for the Director of Planning and Zoning, Jon Grimm; Assistant County Attorney, John B. Norris, III; and Deputy County Administrator, George Forrest. Motion carried.

6. **Boards and Committees** **Letters of Appointment**

Commissioner Guazzo moved, seconded by Commissioner Anderson, and motion carried to make the following appointments:

<u>Board</u>	<u>Terms To Expire</u>
<u>Board of Trustees for the St. Clement's Island</u>	
<u>Potomac River Museum</u>	
Robert Arnold - Reappointment	12/31/2005
George D. Kennett	12/31/2005
Shirley L. Leyland	12/31/2005
<u>Cable Advisory Committee</u>	
William C. Caplins – Reappointment	12/31/2005
Ray E. Hiebert	12/31/2005
Chris Rupert – Reappointment	12/31/2005
Kess Tani	12/31/2005
Harry E. Taylor	12/31/2002
<u>Commission on the Environment</u>	
Edward J. Dowgiallo, Jr.	12/31/2004

Anthony Pitt – Reappointment 12/31/2004

Community Health Advisory Committee

Michael J. Alvey	12/31/2003
Joseph Althoff	12/31/2003
Randal D. Black	12/31/2003
Janice A. Bohanan	12/31/2003
Julie Brown	12/31/2003
Carol Lock-Endy	12/31/2003
Ann Rose	12/31/2003
Karyn Sneade	12/31/2003
Becky Stevens	12/31/2003
Ramon Veras	12/31/2003

Ethics Commission

David S. Deaderick – From Alternate to Regular Member 6/30/2003

Marcey House Board

Gregory Laxton 12/31/2003

ST. MARY'S HOSPITAL EXPANSION PROJECT

Present: Christine Wray, Administrator, St. Mary's Hospital
Charles Wade, President, Hospital Board
Other Hospital Administrative Staff and Board Members

Representatives from St. Mary's Hospital appeared before the Board to provide information on the Hospital's proposed expansion project and to request legislative authority for bond financing for the project.

The presentation included:

- Historical Overview (first hospital built in 1912 and current hospital built in 1983 with subsequent renovations and expansion in 1993);
- Services and Technologies (continued progression of state-of-the art technology; 730 employees; enhanced community outreach);
- Historical Utilization for Fiscal Years 1998 – 2000 (admissions, births patient days, emergency department visits, outpatient);
- Financial Perspective (revenues, bad debts, charity care/health share; net income; payment on debt);
- Master Site Development Plan
 - Board Process and Study (Task Force began in 1999 to study facility needs; Hamilton HMC Consultants were engaged in 1999/2000 to assist in creation of the MSDP.
 - Study Conclusions (Evaluation of bed need, service growth by 2010; inpatient bed projections; emergency department needs; imaging and operating room needs; practicality of having single rooms as opposed to two-bed rooms; existing s.f. – 119,301, which is below state median; proposed new s.f. – 58,300); existing deficiencies (emergency department; Information Technology; Surgery; Critical Care; MRI Temporary Building; Double Rooms; Dialysis Capability; Staff parking; Meeting Rooms/Storage; ALS/Marcey House); Near Future Priorities including contiguous land acquisition and Medical Office Building).
 - Floor Plans (three floors)

- Expansion Project Proposed Concept (Total project cost - \$21,101,270; Hospital Equity Contribution - \$1,400,000; Funding Needed - \$19,701,270) Requested Bonding authority -\$20M).
- Financial Impact of Project
 - Long Range Financial Planning (FY 01 budget reflects a 5.2% surplus; YTD surplus is 8.7%; five-year financial plan is prepared annually; long-range financial plan was updated to project the impact of the expansion project).
 - Financial Ratios (Net Income; Total Debt; Debt Service Coverage).
 - Current Debt Schedule through 2009.
 - Comparisons to Other Hospitals (SMH is among the lower cost hospitals in the state); no rate increase being requested;
- Conclusion
 - That the Hospital is requesting the County to seek legislative authority to obtain up to \$20M in bond financing authority for the expansion project (bonds do not count against the County's debt capacity; State of Maryland Bond Indemnification Program has a payment protection plan).
- Preliminary Project Schedule (Bond Issuance July/September 2001; groundbreaking October 2001).

In conclusion, after much discussion, the Commissioners requested the following:

- *For staff to find out from the legislative delegation the absolute deadline for submission of a legislative item.*
- *For the Hospital representatives to meet with the County Administrator and County's Finance Director along with representatives from the Maryland Health and Higher Education Facilities Authority (MHHEFA) to look into funding alternatives, particularly with MHHEFA for the hospital expansion project.*

Once the additional information is gathered, the Hospital representatives will be placed on a future agenda.

The remaining portion of the meeting was recorded by Kate Mauck:

LADYES FAYRE FROM LEONARDTOWN HIGH SCHOOL

The Ladies Fayre choral group from Leonardtown High School provided an entertaining Christmas Choral program.

WASHINGTON GAS – REQUEST FOR EASEMENT

Present: Dave Foggo, Public Affairs Manager, Washington Gas
Narjim Khan, Washington Gas
Joan Lolcama, Real Property Manager

Washington Gas representatives appeared before the Board of County Commissioners and presented a re-submittal on a request for an easement. In a prior meeting, Commissioners had directed Washington Gas to rewrite two portions of the easement agreement. Details of the agreement were outlined and a map illustrating the Washington gas lines was discussed.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve the easement agreement with Washington Gas, with the exception of item #4, which would be replaced by the previously worded item #4, which would allow for a permanent, and not a temporary easement. Commissioner Mattingly believed this would not be an issue since the easement runs down the property line.

Discussion took place concerning temporary versus permanent lines. A temporary easement would result in a two-inch gas line, whereas a permanent easement would result in a six-inch gas line. Commissioner Guazzo voiced opposition to a permanent line due to the future possibility of a problem on the Warring property, as no master plan has yet been developed for that property.

Commissioners Anderson, Mattingly, Randall and Raley voted in favor of the motion and Commissioner Guazzo voted against. The motion carried 4-1.

**LEONARDTOWN LIONS CLUB
ST. MARY'S DECEASED VETERANS' MEMORIAL IN LEONARDTOWN**

Present: James C. Raley, President, St. Mary's County Memorial Association
Walter Kirk Sterling
John W. Duchesne

Members of the Leonardtown Lions Club and the St. Mary's County Memorials Association appeared before the Board of County Commissioners to provide a briefing on plans to construct and dedicate a suitable Memorial to those veterans who gave their lives during World War II, the Korean War and the Vietnam War. This St. Mary's County Memorial will be constructed opposite the existing World War I Memorial on the Leonardtown Square. The Commissioners were requested to help in funding the Memorial in the amount of \$20,000, which would be approximately 25% of the projected cost of the project.

Details concerning the memorial were outlined, and the construction would be completed prior to Veterans Day 2001.

Commissioner Guazzo moved, seconded by Commissioner Mattingly, to include in the County's FY 2002 budget allocation in the amount of \$20,000 to support the Memorial. Motion carried.

Commissioners offered to have the Public Information Office place a Channel 12 advertisement seeking input from citizens of names of deceased St. Mary's County Veterans from WW II, the Korean War, and the Vietnam War.

**DRAFT ULDC
PLANNING COMMISSION CHANGES SINCE PUBLIC HEARING**

Present: Sue Veith, Environmental Planner, Planning and Zoning
Jeff Jackman, Senior Planner, Planning and Zoning

Members of the Planning and Zoning Department appeared before the Board of County Commissioners to present a summary of all changes from a draft public hearing document that forms the Planning Commission's recommendation for the Unified Land Development Code. Ms. Veith and Mr. Jackman outlined the recommended changes in detail. The Commissioners directed staff to revise and/or look further into several sections and report back to the Commissioners during the meeting to be held next week. Prior to the meeting, Ms. Veith will deliver a list of all non-conforming commercial marinas to the Board of County Commissioners.

NURSING CENTER GOVERNANCE ADVISORY COMMITTEE REPORT

Present: Dr. Patrick Jarboe, Chair, Governance Committee
Susan B. McNeal “

Other Members of Nursing Center Governance Advisory Committee
John Norris, Assistant County Attorney

Members of the Nursing Center Governance Advisory Committee presented a report to the Board of County Commissioners on their recommendations for the Nursing Home. Options and considerations were outlined, and the following three recommendations were made:

- 1) St. Mary's Nursing Center should resume its legal identity as a nonprofit corporation with 501(c)(3) designation.
- 2) The Board of Directors should continue to be appointed by the St. Mary's Board of County Commissioners with due regard to the demographics of the County and the needs of the Center. The Board should be given broad power to independently operate the Center.
- 3) The Board of Directors of the Nursing Center should seek opportunities to establish alliances with other health care agencies in the County, especially St. Mary's Hospital, to assure financial stability, easy access for the residents of the County, and transition from one level of care to another.

Mr. Norris explained the amendments procedures for the bylaws, which will be presented to the Commissioners at a future meeting. Dr. Jarboe outlined details of the recommendations and discussions the Committee has had.

The Board of County Commissioner expressed acceptance of the report.

The Committee was asked to attend the public forum on the second Tuesday in January 2001 to present any further information and to allow for public input on their recommendations. After the public forum has been completed, the Board of County Commissioners will place the matter on a future agenda for discussion and decision. Mr. Norris was asked to provide a set of the old bylaws to the Commissioners for review.

PUBLIC HEARING
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN UPDATE

Present: Clare Whitbeck, Chair, Solid Waste Advisory Committee
Richard Tarr, Recycling Coordinator

Mr. Tarr read the properly advertised public hearing notice. A public information meeting was held on the Comprehensive Solid Waste Management Plan Update and it was reported that there was very little interest shown by the community on this issue. The philosophy of the Plan Update was outlined, and Ms. Whitbeck presented short-term, medium-term, and long-term recommendations to the Board of County Commissioners. There are many options available to St. Mary's County and it is expected that the current landfill may be good for up to 30 years, with the use of the proposed new cells, as long as only residential garbage is allowed to be placed at the landfill.

The Commissioners requested the following information to be submitted: 1) An update on the status on an animal crematorium, and 2) An update on the investigation on how to access funding for the Health Department to have an inspector.

Commissioner President Randall opened the floor for public testimony, and the following individuals spoke:

David Triantos – Asked for clarification on the recommendation to implement a new user fee. Ms. Whitbeck responded that there are a variety of possibilities, and the purpose would be to provide a steady stream of revenue to pay for solid waste. Mr. Triantos stated that his life would be simpler if the fees would be all-inclusive in his property tax bill. He also expressed concern about people throwing trash in the woods.

Vicki Volk – Reporter, *The Enterprise* – Ms. Volk asked for information on rubble and where homeowners would take everything. The reply was that everything would go into the compactor (to include yard waste, scrap metal, appliances, etc.) As long as the material does not touch the ground, the site would not legally be classified as a transfer station.

Commissioner President Randall closed the hearing for public comment. The record will be kept open for a period of 10 days for acceptance of written comment by the public. The matter will be placed on the Commissioners' agenda at the end of January 2001 for discussion and a decision.

TRI-COUNTY COUNCIL INTRODUCTION OF AGRICULTURAL DEVELOPMENT DIRECTOR

Present: Christine Bergmark, Director, Agricultural Development, Tri-County Council

Ms. Bergmark provided information on her background and outlined how she came to be the Director for Agricultural Development for the Tri-County Council. She provided details on the tobacco buy-out program, and stated that there have been 466 requests for applications, which represents 50% of the growers in the Tri-County area. This equates to approximately 4.8 million pounds of tobacco. The deadline for submitting applications by farmers is to have the application envelope postmarked by December 22, 2000.

Ms. Bergmark outlined her vision for expansion of the economic base of the region, and stated that she will be talking with farmers to see what can be done to help them in the future. A recent U.S. consumer profile was detailed, and numerous options for marketing products to these consumers were listed. Promotion efforts were also discussed.

It was noted that Donna Sasscer is a valuable asset to the St. Mary's County Agricultural Committee. The Commissioners thanked Ms. Bergmark for the efforts and unique talent she is exhibiting in the handling of this program. It was announced that the next Tobacco Commission meeting will be held in St. Mary's County at 7:00 p.m. on Thursday, January 4th at the College of Southern Maryland.

COUNTY COMMISSIONERS' TIME

New Chaptico Park

Commissioner Guazzo reported that she attended the public meeting for the Chaptico Park last Thursday, and there was good study information provided by park consultants. There was an excellent turnout, and the audience had various suggestions. There was a heavy contingency of equestrians present, showing interest in having trails and a riding ring. The usable flat land available is 108 acres, and the remainder will be used for trails, biking, etc. A blue-line stream is located on the property, which should provide good study information. The Department of Recreation and Parks presented information on the need for a longer golf range, as the one at Wicomico is apparently not lengthy enough to fulfill golfing range requirements.

Ridge Rescue Squad Installation of Officers

Commissioner Anderson reported that he, along with Commissioners Raley, Randall and Guazzo attended the Ridge Rescue Squad Annual Installation of Officers. It was a great affair, and there are a lot of dedicated individuals at the Ridge Rescue Squad.

Christmas Dinner Drive

Commissioner Anderson reported that Mike Swartz, along with other individuals, are once again organizing Christmas dinners for needy families in the County. There are over 700 families that will need a Christmas dinner and one can be provided at a cost of only \$15. Commissioner Anderson submitted information to be placed on Channel 12 to

get the information out to County citizens on how to provide a Christmas meal and contact information for Mike Swartz.

Splash for Special Olympics

Commissioner Raley reported that although the doctor excused him from participating in the Splash for Special Olympics held last Saturday, he wished to extend congratulations to Commissioner President Randall who participated in the annual event. Commissioner Randall received the second highest amount of pledges, with the amount reaching over \$3000. Commissioner Raley suggested tougher standards next year for the event. A total of \$46,000 was raised for Special Olympics through the Splash event.

Lillian Miedinski's 90th Birthday

Commissioner Mattingly congratulated Lillian Miedinski on the event of her 90th birthday. He attended a celebration in her honor last Saturday. Lillian is a well-liked and very well respected individual in the County. Commissioner Mattingly wished her a long, healthy and good life.

Maryland Association of Counties (MACo)

Commissioner Randall reported that she had recently attended a three-day conference for MACo in Hunt Valley, and it was a good educational conference. She, along with other individuals, made a presentation in support of early intervention in the educational process. Funding and affordability were the main problems they presented. Full-day kindergarten would cost 6 ½ to 12 million dollars, and that this presents a critical problem for St. Mary's County. State assistance is required to be able to fulfill the state mandate for full-day kindergarten in the County. Additionally, Phil Rollins, Art Shepherd and Christina Mack made an excellent presentation on Accessible Parks and Recreation Facilities in Counties and they provided excellent handouts as well.

Commissioners recessed from 5:19 p.m. until 6:30 p.m.

GREAT MILLS HIGH SCHOOL CHAMBER CHORUS

The Great Mills High School Chamber Chorus provided an entertaining Christmas Choral Program.

DOMESTIC VIOLENCE AWARENESS PRESENTATION

Present: Robbie Loker, Chair, Domestic Violence Coordinating Council
Jeanne Schmitt, Department of Social Services
Gwen Bankins, State's Attorney's Office
Lynn Fitrell, Women's Center
Gary Lynch, Walden Sierra
Norma Pipkin, Chair, Domestic Violence Committee for Commission for Women

A presentation on Domestic Violence in St. Mary's County was provided for the Board of County Commissioners. Ms. Loker provided an overview of Domestic Violence and recapped a special Summit held on this issue on October 12, 2000, which was convened by Judge Slade, with over 100 individuals present. The Coordinating Council will provide the service of seeing that objectives of the Summit are carried out in the community.

Packages were presented to the Commissioners that contained a wealth of information on services and resources provided throughout St. Mary's County. In-depth presentations were covered by the following four departments which each provide distinct assistance and/or prevention for Domestic Violence victims or offenders:

- ◆ Department of Social Services
- ◆ State's Attorney's Office
- ◆ Women's Center
- ◆ Walden Sierra

A variety of services by each organization was covered and discussed. After completion of the presentations, Commissioner Mattingly offered to provide a video of the October 12th Summit, should the community have an interest in viewing it during any specially held programs on Domestic Violence Awareness.

The major gaps outlined were transportation problems to receive services, educating the public at large on domestic violence, and how to access all the services available. Assistance is especially needed in the area of transitional housing options. Transitional housing was discussed in-depth and it was reported that Dennis Nicholson, Gene Carter and others are putting together an analysis on problems in this area in order to try to receive funding. The following individuals spoke regarding Domestic Violence:

Mr. Rodney McDaniel – Mr. McDaniel expressed deep dissatisfaction with the services provided in the area of Domestic Violence. He was accused of violence, and his wife allegedly used available County services to her advantage. He was acquitted of all wrongdoing, however, he and his children were left temporarily homeless and their belongings were missing from their home when they regained access.

Ms. June DelaCuista – Ms. DelaCuista attended the Summit in October and she is a representative of Big Brothers and Big Sisters in the County. She stated that the laws can be changed, but perpetrators need to be prosecuted. All is in vain if the mindset of people is not changed. Women need to recognize that are they victims and must press charges. They do not have to live out their lives under abusive conditions and must take steps to prevent it.

Unidentified female – On March 1st, her husband beat one of their children severely. The process has been a struggle throughout to have him prosecuted. He pled guilty, and was convicted of 2nd degree assault. The judgment was later overturned without notifying her of the hearing, and he was released and the charges were eradicated. Judge Raley needs to know that innocent children need protection. She said "he is deaf to cries of victims."

Telephone call-in:

Mr. John Wigman – Mr. Wigman called in to ask who was available to help Mr. McDaniel. *Commissioner President Randall requested that Ms. Robbie Loker speak with Mr. McDaniel to see if assistance could be provided.*

Ms. Pipkin provided a wrap-up of the Domestic Violence presentation, stating that she hoped the Summit was a beginning for continued increased awareness in the County. Numerous volunteers are ready to assist to make Domestic Violence awareness and assistance a priority in St. Mary's County.

MONTHLY PUBLIC FORUM

Commissioner President Randall opened the floor for citizen's wishes to speak on any topic. The following individuals spoke:

Ms. Ann Gregory – Ms. Gregory presented a complicated issue having to do with Planning and Zoning violations to the rear of her property in Charlotte Hall. The issue has been unresolved for approximately ten years, and she has been unable to resolve the problem through all the legal methods she has attempted. Commissioner President Randall stated that Mr. Jon Grimm, Director, Planning and Zoning, would be contacting Ms. Gregory regarding the issue.

Clare Whitbeck – The Council – Ms. Whitbeck reminded the Board of County Commissioners that work on the operating budget would be just around the corner. She voiced objection to their support of the Navy Alliance in the amount of \$20,000, and suggested that the money be used toward some other purpose in the County. The Commissioners asked Ms. Whitbeck to explain her objections concerning the Navy Alliance and Ms. Whitbeck complied. The Commissioners stated that they would continue to support the Navy Alliance well into the future due to the potential BRAC and/or downsizing possibility for the Patuxent River Naval Air Station.

As there were no other speakers present, Commissioner President Randall closed the monthly public forum.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Minutes Approved by the
Board of County Commissioners on 12/19/00

Judith A. Spalding
Judith A. Spalding, Recorder

Kate Mauck
Kate Mauck, Recorder